

# COBBETT'S WEEKLY POLITICAL REGISTER.

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## SUMMARY OF POLITICS.

**INCENDIARIES OF MOSCOW.**—From the official documents, which the reader will find in the present sheet (if I have room for them), it appears that the Emperor of France has quitted the ruins of Moscow, and that a part, at least, of his army has been defeated by the Russians. Indeed, if we give full credit to the statements of the Russians and of our news-papers, we must be ready to expect the total, or, nearly the total, overthrow of the French army. For my part, I receive with great distrust, whatever comes from this quarter. The Russian accounts have uniformly been in direct opposition to those of the French army. If we had believed the Russian accounts, we must have believed, that the French were defeated in every battle; and yet, we, at last, found, that the French army had actually arrived at Moscow, into which the Generals as well as the Bishops of Russia declared that it was impossible for them to enter.—However, as “the father of lies” is said, upon *one occasion*, to have uttered truth; so it may be with the writers of Russian Bulletins and their co-operators in England; and the great conqueror may, possibly, have been, at last, put, as we are told he has been, to disgraceful flight.—Of the use which other powers, and which England in particular, ought to make of this event, it will be time enough to speak when we have the confirmation of the important intelligence; and, in the meanwhile, we will turn back to, and discuss, a matter of great importance to the safety of the people of every country; I mean, the trial and execution of the incendiaries, or, rather, a few of the incendiaries, of the city of Moscow, the circumstances of which transaction are, in the French news-papers, stated to have been as follows: “that, on the 24th of September last, Buonaparté caused to be assembled at Moscow a military commission or Court Martial, for the trial of twenty-six of the persons accused of setting fire to that city: ten of them were condemned to death, and the other six-

teen were sentenced to be imprisoned, there not being sufficient evidence against them to justify the Court Martial in condemning them to death.”—This transaction has been commented on, in some of the English news-papers, in a manner that has excited in me a great deal of surprise; for, though scarcely any thing in the way of either falsehood or folly would surprise me in the far greater part of those papers, yet, there are others, and especially the Morning Chronicle, from the editor of which better things might be expected.—The comments to which I here allude, contain the most extraordinary, the most alarming, and the most horrible doctrine that I remember ever to have met with in print, or to have heard broached in conversation.—The leader upon this occasion appears to have been the editor of the Times news-paper, who, on the eleventh instant, put forth a justification of that terrible act, the burning of the city of Moscow. I will first insert this article; I will then insert what the Morning Chronicle of the same day said upon the same subject; and then I will submit to the reader my observations thereon.—It will be seen, from a perusal of these articles, that their authors assert, FIRST, that the Emperor Alexander had a plain, full, and perfect right to give orders for the burning of Moscow, at the time, and in the manner, described by the French. SECOND, that his subjects had an equal right to act as they are alleged to have done, that is to say, to set fire to the city of Moscow at the time mentioned, and that they had a right thus to act, without any other authority than their own brave and laudable resolution. THIRD, that Napoleon had no right to create any tribunal to try these persons, and that it was a tribunal equally unknown to the laws of God and man, of nature, and of nations, and only competent to pronounce a sentence of judicial murder. FOURTH, that it concerns all the nations of the world, solemnly to protest against this act of the Emperor of France. FIFTH, that the Emperor of Russia would act justly by putting ten French officers of high rank to death,

for every individual Russian executed upon this occasion by the orders of Buonaparté.

—The whole of these assertions are, I think, wholly unfounded; in support of which opinion, I shall submit my reasons to the reader when I have inserted the whole of the articles from which I have extracted the assertions. This latter I deem necessary, in order that the reader may see the arguments on both sides of the question.

—The article from the Times newspaper is as follows:—“ In pursuing our “ extracts from the French papers received “ on Monday, we earnestly call the attention of our readers to one, which presents “ an instance of the most atrocious insolence recorded in history. The MON-“ STER, who, without a shadow of reasonable pretence, invaded the Russian empire, and seized its capital, has dared, “ in impious mockery of the forms of justice, to bring to trial, to condemn and execute, certain Russian subjects, charging it on them as a crime, that they obeyed the orders of their Sovereign, in “ destroying property which would otherwise have fallen into the hands of the public foe. We ask not, whether the accused parties had, or had not, any thing to do with the transaction, in point of fact. We ask not, whether the conflagration was accidental, or intentional, —whether it was occasioned by the cannonade of the French, or by the desperate fury of the enraged Moscovites, or by a combination of both these causes. We assert, that the Emperor Alexander had a plain, full, and perfect right to give orders to the effect stated; and that his subjects had an equal right to act, as they are alleged to have done, without any other authority than their own brave and laudable resolution. The judgment pronounced by the Military Commission, created at Moscow by Buonaparté, is, in point of legal effect, a mere nullity. He had, he could have no right to create any such tribunal,—a tribunal equally unknown to the laws of God and man,—of nature and of nations,—and only competent to pronounce a sentence of judicial murder! It concerns all the nations of the world openly, instantly, solemnly to protest against the usurped authority of this self-created surrogate of justice.” It concerns none more than the English nation. Upon the very same grounds that these ten Russians have been condemned to death, any number of individuals who belonged to our retreating

“ army in the Portuguese campaign of 1810,—nay, the gallant, and beloved Commander of that army himself, “ certissima oppressæ Europæ spes,”—might then, or may hereafter, be led forth to execution; for it is idle to say, that the hand that executes is more guilty than the head that plans; or that Lord Wellington had greater authority to command in Portugal than Count Rastopchin in Moscow: and we know that he was at that time accused by the Moniteur in the same terms as the other is now, of employing extraordinary means of defence, by fire and destruction, disproved by all civilized nations.” And, lastly, it is evident, that if such conduct be criminal in 1812, it was so in 1810, and the liability to punishment for it will attach to the party implicated, throughout the whole course of his life. —But it is not Lord Wellington, or Count Rastopchin, or the Emperor Alexander alone, that is struck at; though they have all been honoured by the prescriptive pen of Buonaparté;—every wise and cautious Government, every brave and patient people has incurred, or is ready at every instant to incur, this new species of moral turpitude. If I may not fire my house to prevent its affording shelter to my enemy, I may not destroy my corn, or drive my cattle beyond his reach, or even refuse my wife or daughter to his brutal lust. There is absolutely no line to be drawn between the denial of a perfect right of defence by means of fire and destruction, and the assertion of a positive duty in the most base, creeping, slavish non-resistance:—and this he knows well enough. He loves to reign by terror, and by terror only can he maintain such an entire subjugation of the mind of Europe, as that at which he aims. This pretended judgment is part of his scheme, and emanates naturally from his system; and is not meant to operate specially in Russia, but in Austria and Prussia, in America, in England; —and all this under the flimsy veil of a regard for the laws of war, as practised among civilized nations.—We admit, that the strict laws of war should be enforced, even against enemies,—but who is this grand reformer of the practice of nations? If a similar, or even a far more equitable and justifiable severity had been practised toward him and his agents, they would long since have been hung up like dogs, the objects of scorn

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"and abhorrence to every passer-by, for "their unmanly, and (except in their own "bloody revolution) unprecedented cruelty. *Look at the French proclamations* "of 1807, 1808, 1809, 1810, in Poland, "in Germany, in the Tyrol, in Portugal, "in Spain, subscribed with the names of "Kosinski, Parigot, Lefebvre, Junot, Soult " (we take these at hazard, from a heap of "similar compositions). Are they not "enough to make the blood run cold with "horror, and the hair stand on end with "awful fear of the DIVINE vengeance on "such iniquities? Do they not contain "threats of razing houses, burning down "whole towns, shooting individuals, and "banishing families, for mere adherence to "the duties of loyalty and patriotism? "Were not these infernal denunciations "executed in Portugal, until *the Deliverer* "came; and were they not fearfully re- "tracted in Spain, when retaliation was "threatened?—This last consideration "points out the just, and only answer, that "the Emperor Alexander ought to make to "the audacious Manifesto in question. "For the first native Russian in the list of "those confessedly murdered by order of "Buonaparté, let him instantly hang ten "Barons of the French Empire, or Knights "of the Legion of Honour, and so on for "every other individual that has been exe- "cuted."—Thus far the *Times* news- paper. We will now hear the *Morning Chronicle*.—“It will be recollectcd, “that one of the late French Bulletins re- “corded the fact of several Russians hav- “ing been put to death, for no other crime “than that of being faithful to the cause “of their country, in endeavouring to ren- “der the possession of Moscow of as little “avail as possible to the invaders, by de- “stroying it. It now appears that this “atrocious act was attempted to be cover- “ed by the mock solemnity of a Military “Commission, at which the charge of set- “ting fire to the City was formally made “against 26 Russians, several of whom “were natives of Moscow, and for which “ten of them were sentenced to death; “and the remaining 16, although it was “acknowledged that there was not evi- “dence sufficient to convict them, were “ordered to be detained in the prisons of “Moscow, to prevent the mischief they “might commit! The detail of the pro- “ceedings of this Military Commission we “have extracted from the French papers. “Had it not been for their own record thus “published to the world, it would, per-

“haps, have scarcely been believed that so “wanton and *barbarous* a violation of “every principle of justice had really been “committed; yet such is the fact avowed “in the French official document. A Mi- “litary Commission, consisting of French “officers, is appointed to try 26 natives of “Russia, upon no other charge than that “of the fair exercise of the rights of war “against an invader; and by that Military “Commission ten of these individuals are “condemned to death, and the rest sen- “tenced to linger in a prison!”—I shall now enter upon those reasons, upon which I found my denial of the assertions above stated; but, first of all, there are some other assertions, introduced here incidentally, and which, it seems to be supposed by the writers, will be taken for granted; and which I am not so taking.—We are told, that “the MONSTER invaded “the Russian Empire without the shadow “of reasonable pretence.”—By the mon- “ster is meant the Emperor of France, he whom we recognized in a solemn treaty as lawfully the Chief Magistrate of that coun- “try; he whom we sent an Envoy to treat with in 1806; he for holding whom forth to the execration of the people of France Mr. Peltier was, in our Court of King’s Bench, found guilty of a criminal libel; he, in short, with whom, in all human proba- “ability, we must treat again, if we are ever to have peace.—However, monster or monster not, it is a *falsehood*, it is a direct, clear, known falsehood, to say, that Napo- “leon invaded Russia “without a shadow of “reasonable pretence;” for, as this hire- “ling of the *Times* news-paper well knows, the Emperor of France complained of the Czar’s *not having adhered to the Treaty of Tilsit*; he complained that the Czar, hav- “ing, at Tilsit, obtained an equivalent for shutting out the commerce of England, had, with that equivalent in his possession, refused to shut out the said commerce. He said, “when I had you within my grasp “at Tilsit, I let go my hold upon condi- “tion that you would faithfully adhere to “the Continental system against England; “and now, being free from my grasp, you “do not adhere to that system.”—Whether the facts here alleged be true or false is not the question. The question is, whe- “ther there be here a *reasonable pretence*; and, as it is obvious that the pretence is not only reasonable, but very plausible, it follows, of course, that the assertion of the *Times* is, as to this matter, *wholly false*. —The next assertion that I notice is,

that the conduct of certain French Generals was "enough to make the hair stand on end with awful fear of DIVINE vengeance on such iniquities."—I beg the reader to compare this with the cant of Mr. Canning, who represents Buonaparte as "*let loose upon us by Divine Providence.*" Why, then, are we to suppose that that same Providence is *displeased* with what he and his Generals do? What a capricious, and, indeed, what an unjust Being, do these men of cant make of Providence! They first tell us, that Providence employs Napoleon as a scourge on mankind. This is not placing Providence in a very amiable light; but, what are we to think of them when they add, that Providence, having first let loose the French to scourge mankind, then is ready to inflict *vengeance* upon them for having been a scourge?—Reader, pray consider these things! Pray, do exercise your *senses!* Pray, be not cheated any longer for want of a little reflection! Pray withdraw yourself from the disgraceful situation of being the gull of these hypocrites.—I now come to the five above-stated assertions, the FIRST of which is, *That the Emperor Alexander had a plain, full, and perfect right, to give orders for the burning of Moscow, at the time, and in the manner described by the French.*—Now, the French report says, that the government of Russia had prepared before-hand the means of destroying Moscow by fire, if it should fall into the hands of the French; that the plan was to set fire to the city twenty-four hours after the arrival of the French, the engines for putting out fire being previously carried away; that divers persons were ordered to remain disguised at Moscow, in order to put the plan in execution; that accordingly, the city was set fire to by these persons, in the night of the 14th of September; that many of the incendiaries were killed upon the spot by the French soldiers; and that the persons condemned and executed as above mentioned, were in the number.—This is the account of the facts as given by the French, and it is upon an admission of these facts being true, that the Times news-paper makes the assertion which I deny.—He says, that the Emperor Alexander had a plain, full, and perfect right to give orders for the burning of Moscow at the time and in the manner above described. I say that the Emperor Alexander had *no such right.* Mind, I do not pretend to say, that he *did order* the ancient Capital of his Empire to be burnt; and but a few weeks have elapsed since the

hirelings of the Times and the Courier accused the French of having burnt the City, and represented them as horrible monsters for the act. On the consistency of this I shall speak by and by; I only mention it now to shew that there has been two stories as to the fact. I do not, therefore, say, that the Emperor Alexander did actually give orders for the destruction of the Capital of Russia, and of no small part of its inhabitants, but I say, that he had no right to give such orders.—It is a maxim not to be controverted, except by those who hold the people to be the mere property of the Sovereign, that *protection* and *allegiance* go together; that they are inseparable; that the latter cannot justly be demanded where the former does not exist; and that, when a Sovereign has no longer the power to afford any portion of his subjects protection against an invader, he has no right to demand obedience at their hands, and has no right to do any thing to them to cause them to suffer, except in the way of open war for the recovery of that part of his territories that they inhabit. Upon what other condition is it, upon what other principle, that men are called upon to yield up their natural rights, to pay taxes, to perform personal services, and to obey any Code of Laws? They do all this upon the condition of their being *protected* in the quiet enjoyment of their lives and property; and, of course, when the Sovereign ceases to have the power to protect them; when his armies flee before those of the invader, leaving his people to the mercy of the latter, those people, during the time that the enemy is master of the country, owe their Sovereign no allegiance. The conqueror becomes, for the time being, and perhaps, for ever, their Sovereign; the people cannot owe allegiance to both at once.—The people of Moscow had a right to demand protection at the hands of their Sovereign; this right they possessed in consequence of their having paid him taxes and yielded obedience to his laws. He was, it appears, unable to afford them protection; he could not, therefore, be blamed, perhaps, for not protecting them; but surely, this circumstance gave him no right to destroy them or their property? It was enough, one would suppose, for him to leave his people unprotected; it was enough for the inhabitants of a great City to find themselves exposed to the ravages of an enemy; what, then, must they have thought, and what

must the world think of their being almost exterminated by the orders of him, to whom they had so long paid taxes, whose laws they had so long obeyed, whose “*beloved subjects*” they were called, and whose duty it was to have afforded them protection?—The sophistry resorted to upon this occasion, in order to justify this terrible act, an act, you will observe, which, while it was supposed here to have been committed by the French, was held forth as worthy of “*the monster*” to whom it was then imputed; the sophistry resorted to in order to justify this act, pretends that the Czar had a right to cause to be destroyed *property* which would otherwise have fallen into the hands of the public foe. Certainly he would have had a right to cause to be destroyed ships of war, magazines, fortifications, and even private property, where the lives of the owners or occupiers were not put in jeopardy, and where the object to be attained by such destruction was of sufficient importance. But, what was the case here? Here are three hundred thousand persons, of all ages and sexes, whose dwellings, whose food, whose raiment, whose beds, are all at one and the same time, consumed by fire! It is very easy for the hirelings of the Times and the Courier to talk lightly upon this subject; to talk about the *right* of causing this terrible destruction; but, reader, if the fear of Buonaparté, if anxiety for your own safety, if this merciless feeling has not bereft your heart of those qualities which it ought to possess, transport yourself in idea to the City of Moscow; see the flames devouring the dwellings of three hundred thousand people; see the confusion, the uproar; see the frantic parents snatching their children from the flames; hear the groans, the screams of the aged, the lame, the blind, the sick, the bed-ridden, the women in child-birth. And, then, if you can coolly say, with the hirelings of our press, that any one had a *right* to cause this thing to be done; why, then, go and join Mr. Canning, and talk about “*Divine Providence* letting loose “upon us the scourge of mankind.”—In such a city how many thousands must have been in a state perfectly helpless; it is said, in the official report, that 30,000 sick *Russian Soldiers were burnt*. And this is what the Morning Chronicle calls “*the fair exercise of the rights of war!*” The babies must have been very numerous; the women in child-bed; the bed-ridden; the sick of palsies, fevers, gout, dropsy;

all these, in a population of 300,000, must have amounted to many thousands; and to all these such a conflagration must have been certain death. For, where were they to find shelter supposing them to escape the flames? Where were they to get food, raiment, bedding! Reader, I beseech you to fix your eyes on the scene; and then, recollect, that our hireling press has asserted, that the Emperor Alexander had a *plain, full, and perfect right* to give orders for the producing of such a scene! There is something so monstrous in this assertion; there is something so daringly cruel in it, that I should here leave it to the abhorrence which it is calculated to excite, did I not think it necessary to strip it of all the sophistry by which it is attempted to be maintained.—The Czar had, we are told, a right to cause to be destroyed *property* which would otherwise fall to the invader.—We have seen how far this right may, in certain cases, be carried; but, it was *persons*, it was *life*, that was destroyed here, and that must, from the nature of the case, *necessarily* have been destroyed; and I deny, that, in any case whatever, the sovereign has, for the sake of preserving territory, or even his crown, *the right to take away the lives of any part of his subjects*.—The hireling of the Times says: “If I may not fire my house to prevent its affording shelter to my enemy, I may not destroy my corn or drive my cattle beyond his reach, or even refuse my wife or daughter to his brutal lust.”—If, indeed, it appeared, that *people* of Moscow had fired their *own* houses, this argument might be worth attending to; but, as the act is justified upon the ground of *its having been committed by the order of the Czar*, this argument does not apply; and is but a poor pitiful attempt at deception. I am not contending that the people of any portion of territory have not a right *to set fire to their own dwellings*, supposing it possible for them to be unanimous in a wish so to do, and which would imply *previous preparations of all sorts*. I am contending that no sovereign has a right (let his object be what it may) to burn his subjects, or any portion of his subjects, to death; or, otherwise to destroy them.—It is said, that suburbs of Towns, and that private property of various descriptions, have frequently been destroyed, in order to prevent them from falling into the hands of an invader. But, in such cases, *compensation* is always contem-

plated. If, for instance, the French were to invade Hampshire, and I were to be ordered, by the Commander of the District, to burn my house, my barns, and my ricks, to give him up my horses for his use, and to cut the throats of my other cattle; such an order would be very foolish indeed, and would not at all tend to the defence of the country: but suppose it to be given and to suppose me to obey it, is it reasonable to think, that I should not receive *compensation* from the country at large? If by the destruction of my property, the King is preserved on his throne, and the country at large is finally preserved from subjugation, or, if it is with this view that my property is destroyed by order of the Government, will any one deny my right to a compensation for the loss of that property? Upon this principle, then, how can the Czar be justified in ordering, as the Times news-paper says he did, the sudden destruction of a City, like that of Moscow? For, who shall give *compensation* for *lives* taken away; for the death of the aged, the lame, the blind, the sick, the women in child-birth, the wounded soldiers, who perished, and who *necessarily must* have perished, upon this occasion? For the taking away of life nothing can compensate; and, if it should be said, that, by the means of this terrible act at Moscow the Empire of Russia will be finally preserved from the dominion of Buonaparté; nay, if we grant, that it is *certain* that that act will produce this effect, I not only deny that the act was justifiable, but I deny the right on the part of the Czar to cause the life of any one man to be taken with a view of securing that object.

—Government makes laws for the ruling of the people; it takes from the people a considerable portion of their property; it compels them to yield personal services, and for what? What is the answer when we complain of heavy burdens? When we complain that so large a share of our property is taken from us in taxes? When we complain of the quantity of our necessities of life being so much reduced? The answer always is, that *these privations are necessary to the defence of our country against the enemy*; that they are necessary to secure us in the quiet enjoyment of what the government does not take from us.

*And* *common sense* is there in this, unless it is told us, that, if we give the *enemy* what is demanded from us by the *enemy*, the *enemy*, on its part, will be compelled to afford us protection

against the said enemy? This is the plain meaning of the thing; and, what, then, are we to think of those, who are ready not only to apologize for the government not yielding the people protection against an invader, but who are ready to justify it in destroying any portion of the people, lest, for want of that protection which is their due, they should fall into the hands of the enemy? It is easy for some persons, sitting safe by their fire-sides in England, to talk about the right of the Czar to burn out his subjects at Moscow; but, people of the City of London, Aldermen, Common Council-men, and all you, Bankers, Merchants, Shop-keepers, and men in Trade of all sorts; how, if Buonaparté and his army were in Essex, would this doctrine suit *you*? If the Prince Regent, and the Royal Family, seeing that they were unable to keep the French out of London, were to retire to Dublin, and leave orders for the setting fire to London in a hundred different places at once, and for the reducing of it to ashes amidst the expiring screams and groans of the people; what, in such a case, would *you* say? Would you say, that the Prince Regent, being safe at Dublin himself, had a plain, full, and perfect *right* to give such an order? — If you would, then, you may applaud the doctrine of the Times news-paper, if you would not, pray recollect, that the people of Moscow were human beings as well as yourselves.—The second assertion hangs upon the first. If I have succeeded in showing, that the Czar had no right to order the burning of Moscow at the time and in the manner described by the French, it follows, of course, that, the act, being in itself a criminal act, no one could be justified in obeying those orders, any more than I could be justified in obeying the orders of the Prince Regent (if it could be supposed possible that he would give me such orders) to fire the house of any one of the King's subjects. But our hirelings contend that the people, who have been tried and condemned by the French, had a right to set fire to the City of Moscow, “without any other authority than their own *brave* and *laudable resolution*.”—Brave and laudable resolution! Impudent hirelings! The “*brave* and *laudable* resolution of setting fire by night to the dwellings of 300,000 poor defenceless creatures! The *brave* and *laudable* resolution of burning to death 30,000 men who had been wounded in battle against the enemy! Reader, in

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all Europe there is not to be found wretches so base as to hold such language, except in England. *Here, and here only*, the promulgators of such horrid sentiments could find encouragement.—But, observe what a field of destruction is here opened; what a scourge is here let loose! Admit this doctrine, and then, the moment a country is invaded it is exposed to fire and sword at the hands of any part of the people. Any band of ruffians who may wish to profit from confusion, will here find a complete justification for any crimes, any acts of cruelty, any arsons, any murders, that their views may lead them to commit.

—In order to illustrate a little further the nature of the act committed at Moscow, it may not be amiss to observe on what has been sometimes said of the conduct of Napoleon and the French Generals.—They have been accused, and they are accused by the Times news-paper upon this occasion, with having issued proclamations containing “*threats of razing houses, burning down whole towns, shooting individuals, and banishing families*, for mere adherence to the duties of *loyalty* and *patriotism*.”—Now, this latter part of the assertion is false; because they never told any body, that they would punish them for being either *loyal* or *patriotic*; or for the adherence to any *duty* whatever. This is an addition by the Editor of the Times news-paper. The French Generals only told the people that they would punish them in this manner, if they were *guilty of resistance to their will*.—And now, without stopping to inquire how far they were justified in these their threats by invaders in *former* wars, let us see how far they stand justified by the combination of crowned heads, under whose orders *France itself was invaded* in the year 1792, when this long and bloody series of warfare was begun under the late Duke of Brunswick Lunenburg. This Duke, in his proclamation, dated at his head quarters at Coblenz, on the 25th of July, 1792, and addressed to the inhabitants of France, told them, that, unless they obeyed his commands, he would treat them as *rebels*; that he would cause them to *lose their heads and estates*; that the inhabitants of towns, burghs, and villages, who should dare to *defend themselves against his troops*, in any way whatever, should be punished instantly, according to the rigorous rules of war, or their *houses should be demolished or burned*; that the City of Paris and all its inhabitants, without distinction, should

be made *personally responsible*; and that all the members of the national assembly and other persons in authority, not excepting the national guards of Paris, should be made personally responsible for all events, on pain of *losing their heads*, pursuant to *military trials, without hope of pardon*; that the City of Paris should be *given up to military execution*, and should be *exposed to total destruction*; and finally, that, every place and town whatsoever which should concur with the City of Paris, should also be *given up to military execution and exposed to total destruction*.—Mr. Editor of the Times news-paper, you tell us, that you have proclamations of the ruffian Generals of France as you call them. Find us one *equal* to this, and then we may allow, perhaps, that the French Generals have come up to the example, set them by the kings of Europe.—I was in France when this memorable proclamation was issued; and when it was, soon afterwards, followed by the actual invasion of France, with a view to put these horrid threats into execution.—However, if it was cruel and atrocious in the French Generals to issue *threats of razing houses and of burning down whole towns*; if this was cruel and atrocious; if the bare *threat* was cruel and atrocious in an *enemy*, what must the *execution* be, in a *friend*, nay, in a *sovereign himself*? And, what a character are these men providing for the Emperor of Russia?—The THIRD assertion is, that *Napoleon had no right to create any tribunal to try the incendiaries, and that it was a tribunal equally unknown to the laws of God and man, of nature and of nations, and only competent to pronounce a sentence of judicial murder*.—This assertion is equally false with the two former; for, at the time that this tribunal was created, and at the time when the crime was committed, the city of Moscow was under the dominion of Buonaparté, and the people of that city owed him allegiance as their sovereign by conquest. Those who have written upon the law of nations, lay it down, that a conqueror has a right to make prisoners of war if he chooses, of all the subjects of the hostile power who may fall into his hands, though they have committed no violence against him; but, that, now-a-days, the conqueror generally carries his rights, in this respect, no further than to exercise certain rights of sovereignty over them, such as raising and quartering troops among them, making them pay taxes, obey his laws, and punishing as *rebels those who*

attempt to betray him or shake off his yoke. — It is clear, then, that, according to the law of nations, as practised amongst the old governments of Europe, the city of Moscow became subject to the Emperor Napoleon on the day that his army marched into it, which was on the fourteenth of September, and it is stated that it was on the 14th and 15th of that month that the persons executed by order of the court-martial, were detected in the act of setting fire to the city. — Upon what ground, therefore, can any man attempt to deny the right of Napoleon to create a tribunal for the trial of such persons? He had not only a *right* to do it, but it was his *duty* to do it; for, not to have done it, would have been to wink at one of the greatest crimes that ever was committed in the world. That the firing of the city took place after it was in his possession cannot be denied, because it was his own soldiers who detected the incendiaries in the act; and, therefore, unless we deny, that the conqueror of any country or place has a right to punish men for criminal acts committed in any country or place, we must allow, not only that Napoleon had a right to erect the tribunal in question, but also, that, allowing the facts to have been clearly proved, this sentence of that tribunal was just. — Let us apply this doctrine of the Times news-paper to ourselves. I beseech the reader to believe, that, notwithstanding all the impudent boasting of the hired news-papers; notwithstanding all the braggings of these vile flatterers of folly; I beg the reader to believe, that notwithstanding all this, the world has a right to judge, and will judge, our conduct by the same standard that we judge the conduct of others. I ask, therefore, this question: if, in the night following the day when we took possession of Flushing, a number of the natives of that town had been detected by our soldiers in setting fire to the houses while the people were asleep; and, if our commander had tried them by a court-martial, and ordered them to be shot, I ask, whether we should not, in such a case, have applauded the conduct of our commander? The reader must know that we should have applauded such conduct; and, therefore, he must acknowledge that these accusations against Napoleon are unfounded. — It is not, however, to defend him that I have entered upon these observations. It is in order to expose to timely reprobation, a doctrine, which, if once generally tolerated, might lead to the most destructive

consequences. If it were once to be admitted, that a sovereign, when unable to keep any portion of his dominions out of the hands of the enemy, has a right, while he himself is safe at a distance, to cause the destruction of all the houses, and the utter ruin, if not the death, of all the inhabitants of that part of his dominions; if this were once to be admitted as sound doctrine, no subject could look upon himself in any other light than that of a beast, propagated, and reared up, for the mere use and pleasure of an owner. — The people have rights as well as their sovereign. The crown, as the Prince Regent once declared, is, in this country, held for the benefit of the people; but, what becomes of this maxim, if the people are to be sacrificed, to be actually burnt out of their houses, to lose their property or their lives, for the preservation of the crown?

— Having now, as, I think, proved the falsehood of the three first assertions above-mentioned, the fourth and fifth fall to the ground of course; and, indeed, it is not to be credited, that, except amongst our hired writers, any man living is to be found, capable of believing, or of affecting to believe, that all the nations of the world ought to protest against a conqueror exercising the rights of sovereignty, and that the Emperor of Russia would be justified in putting to death his prisoners of war to avenge that of the acknowledged incendiaries of the capital of his empire. — These vile writers, in the indulgence of their silly rage against Buonaparté, care not who they involve. In this case, not content with comparing the conduct of our army in Portugal with that of the incendiaries of Moscow, they tell us, that, in this act of Buonaparté, a blow is struck at every *wise and cautious* government, and every *brave and patient* people. And, they pretty broadly hint that our government would do right to complain of this act of Buonaparté, lest he should hereafter take occasion to proceed against some of our people in Portugal and Spain, on grounds similar to those whereon he has proceeded against the incendiaries at Moscow. Their object is, to blacken Buonaparté; to take the part of every one who is against him; but, I suspect, that very few of the persons composing the native part of our brave army in Spain and Portugal, will think themselves much honoured in being put upon a level with the incendiaries of Moscow; and as little should I think that Lord Wellington will regard it as a compliment to be defended upon the same

ground that a defence is set up for Count Rastopchin, who, according to the accounts published in these our news-papers, was the person who organized the burning of the Russian capital, and the almost certain destruction of its three hundred thousand of inhabitants.—I have now, I trust, placed this matter in its true light; and have shown how dangerous it is for us to couple the adoption of doctrines with our feelings towards Buonaparté. This may lead us into enormous errors; and, therefore, the sooner and the more effectually we divest ourselves of the habit, the better.

WM. COBBETT.

*Batley, Wednesday, 18th Nov. 1812.*

#### OFFICIAL PAPERS.

##### *Twenty-fourth Bulletin of the French Grand Army.—(Continued from page 638.)*

give a general battle, and to employ every possible means to prevent the enemy from getting to Moscow. The position of our army is a very fine one, and gives every reason to hope for victory. The advanced guard, which is at the distance of 12 wersts from the first line, was engaged yesterday with a superior force of the enemy; they attacked several times, but were always repulsed. The advanced guard received orders to-day to retire upon the first line, to afford means to the enemy of giving battle to Moscow, and our army is ready to receive them. — Eight battalions of my troops are with the first army, and six with the second. There remains to me 3,000 men, to take care of the security of the villages, which have been plundered, and several of which have been burnt by our baggage attendants, and by the Cossacks. I have likewise a column of 4,000 men in reserve in the left wing. We reckon on a battle to-morrow. I will write to you if it takes place, which depends entirely upon Napoleon. We wait for his attack.—If, however, he delays too long, the Prince is determined to attack him. He continues to fortify his camp. I have entreated him, as well as all the other Generals, to give battle, and force the enemy to retire. The Prince says himself that it will be necessary, to prevent the enemy from entering Moscow, as if he gets there it will render him master of all Russia.—Barclay de Tolly remains still in possession of the command of the first army, and of the Ministry of War. He continues to correspond with

— Business prevents my writing at greater length. I have the honour, &c.

(Signed) MARCOFF.

##### *Translation of a Letter addressed by Count Rastapchin to the Emperor Alexander, dated Moscow.*

Sire,—The oaths I have taken to your Majesty guarantees my fidelity. I fulfil the duty of a Christian, and of a faithful subject, in exposing to your Imperial Majesty considerations which have been suggested by existing circumstances, by a knowledge of mankind, and the zeal which animates me for the glory of my country, and the preservation of the Nobility whom your Majesty yourself deems to be the sole support of the throne. This illustrious body, animated by the spirit of Pojarsky and Minine, are ready to sacrifice every thing for their country, and the pride of bearing the Russian name. The militia being formed, will oppose an insurmountable barrier to the enemy of the world, and put an end to his desire of entering a country protected by God, and where the foot of an enemy has not trod for an hundred years past.—But all these measures, all these armaments hitherto unheard of, will vanish in the twinkling of an eye, if the desire of acquiring a pretended liberty should raise the people upon the ruin of the nobles, the only object of the populace in all troubles, and in all revolutions. This class of men would now so much the more readily deliver themselves to their excesses, after the examples of the French, and these sad events, the inevitable consequences of which, are the destruction of laws and of Sovereigns.—The measures taken to send foreigners out of the empire have only produced ill, as scarcely one in forty has determined to quit a country, where every foreigner receives consideration and fortune. If the French have taken the oath of naturalization, it is through fear and cupidity, and without its producing any change by their manner, or their desire of injuring Russia, which is proved in their insinuations in the Corporations, that they only wait for Napoleon to be free. Sire, purify Russia, and keep none but priests; order to be sent back beyond the frontiers a troop of wretches, whose sad influence corrupts the souls and minds of your virtuous subjects.—My duty, my oath, my conscience, direct me to fulfil a sacred duty, in laying before you the truth, such as I present it to you at a time when your heart will render justice to

my sincere attachment.—I conjure you, therefore, Sire, in the name of the Most High, to think of the past and the present, of the treason of Stepanoff, of the disposition of the public mind, of philosophers, of martinists, and of the election of a Chief of the Militia of Moscow. Appear for some days in this capital, and your presence may revive, in the hearts of your subjects, that love which has been almost extinguished by dissension, forgetfulness of the laws, and contempt for the Ministry. I am, &c.

COMTE THEODORE RASTAPCHIN.

*Copies and Translations of three Letters, signed Leppich, addressed to the Governor-General Rastapchin.*

[This Leppich is a quack mechanician, who appears to have been charged with the direction of the formation of the famous infernal balloon. It will be seen by the first Letter, that M. Rastapchin himself furnished the necessary funds for this work.]

To M. Le Comte Rastapchin.

July 30 (Aug. 11), 1812.

M. le Comte, I pray you to transmit to me by this opportunity 12,000 roubles in bank-notes.—I greet you sincerely, and am your Excellency's very humble, &c.

(Signed) LEPPICH.

Translated from the Russian, 24th Aug.  
(4th Sept.), 1812.

M. Le Comte,—Your Excellency can scarcely figure to yourself how much trouble I have had in finishing my balloon. The want of practice in my workmen has placed me under the necessity of doing the more trifling things myself; and not knowing the Russian language, I could only employ Germans. All this has prevented my ascension to-day; but at length my balloon is finished. To-morrow at noon, without fail, I shall ascend in it, and in a few hours the aerostat will be only visible from Moscow with a telescope. I have the honour, &c.

(Signed) LEPPICH.

(*This Letter was written in French.*)

M. Le Comte,—You cannot imagine how many difficulties I have had to surmount to succeed in my enterprize; and, what chagrins me more, is, that yesterday, when my object appeared to be attained, the mechanical springs failed in consequence of the badness of the steel. The machine advanced well and made some movements

with the wings, but at length the springs broke, and I was obliged to terminate my operations. The balloon is filled and all the other apparatus in order, and I shall be well content if you will convince yourself upon these points, by honouring me with your presence.—As I have said that the delay is owing to bad steel, although it is the best that could be procured in Moscow, it may be necessary to state that a person has promised to relieve me from this embarrassment, by furnishing me with better steel, and I must wait the result.—I flatter myself that your Excellency will believe me, when I say, that this delay has caused me much chagrin; but when I shall have received the promised steel, all will go on well.—I am, &c.

(Signed) LEPPICH.

*Report annexed to the Twenty-fourth Bulletin.*

*Reports respecting the Battles of Frasnoi, Smolensk, and Valontino.*

*Report of the Duke of Elchingen to the Major-General, respecting the Bivouac of Kanasava, seven leagues from Smolensk, 14th Aug. 1812, at eleven o'clock in the evening.*

Monseigneur,—I have the honour to acquaint your Highness, that the 5th Corps D'Armée deployed this morning from Karasinim, by the wooden bridge over the Dnieper, near Khomino, in the direction of Krasnoi.—Having received orders from the Emperor to proceed rapidly towards that town, where, according to a report received by his Majesty, the enemy had a regiment of infantry, the head of my column arrived there about three o'clock in the afternoon. The 24th light infantry, supported by the remainder of the 10th division, attacked the enemy with a wonderful degree of boldness, and Krasnoi was carried by assault without any hesitation.

—The enemy, whose strength amounted to nearly 6,000 infantry, 1,200 cavalry, and ten pieces of cannon, had formed in echelon, and assumed a threatening aspect behind the town; but the infantry attacked them so vigorously that they were forced to retreat, which they did in good order, under the protection of their artillery, which was very well served.—At half a league distance from Krasnoi, the cavalry, commanded by the King of Naples, also attacked and pursued the enemy; the Russian infantry, which had been abandoned by their cavalry, formed at first two close co-

lumns, and afterwards a full square, which, though surrounded on all hands, continued to retreat with promptitude, continuing always fighting. Our light cavalry made more than forty charges on this infantry.

—Several squadrons penetrated into the square, and cut off battalions from it; but the enemy was saved from a total loss by the dead force opposed by its mass much more than by the effect of its fire, which, though it made much noise, did very little mischief. The Russians were pursued till night, and as far as the defile of Kanosava. We took from them eight pieces of cannon and about 800 prisoners, and killed at least 1,000; so that this division, which is the 27th, composed of four regiments of musqueters and two of chasseurs, under the command of General Newierowski, must have lost more than the half of its numbers in killed, wounded, and prisoners.—According to the most general account, it appears that the numbers at Smolensk are not great; and it would seem that the enemy is marching towards Porietche, to appear with a strength of cavalry on the Dwina.

—The loss of the corps d'armée is nearly 200 killed and wounded. I shall request favours from the Emperor, for those officers and soldiers who distinguished themselves the most.—I have the honour to be, &c.

(Signed)

Marshal the Duke of ELCHINGEN.

*Report of the Duke of Elchingen to the Major-General, respecting the Bivouac before Smolensk, near Dienowo Golomisk, 16th August, 1812.*

Monseigneur,—I have the honour to acquaint your Highness, that the troops of the 3d corps d'armée put themselves in march this morning, from their position of Loubna, and the environs in the direction of Smolensk. The enemy defended the exterior of the town obstinately, with dragoons and numerous pulks of Cossacks, so that we were obliged to employ infantry to drive them off, which was executed, notwithstanding a very brisk discharge of artillery from the place. A battalion of the 46th displayed such ardour, that I allowed it to advance at a charge against one of the bastions on the height, that I might by this means discover the force of the enemy.

—All the Russian infantry who defended the covered way was forced to fall back into this city in disorder, with great precipitation. I then ordered a second battalion to advance, not so much for the purpose of

supporting the first, as to protect its retreat; the enemy kept up a terrible fire of artillery and infantry on this battalion, which did not give way till masses of infantry sallied out against it. It effected its retrograde movement in the greatest order, the enemy not daring to pass the fosse in its pursuit. This victorious attack of one battalion against more than 4,000 infantry protected by 60 guns, was one of the most valorous achievements which I have ever seen since I was a soldier. It will certainly inspire the enemy with a high idea of the courage of our troops.—I am, &c.

Marshal the Duke of ELCHINGEN.

*Report of Marshal the Duke of Elchingen to the Major-General, respecting the Bivouac before Smolensk, the 17th August, 1812, at 11 in the evening.*

Monseigneur,—I have the honour to acquaint your Highness, that the enemy has incessantly, from five o'clock this morning till three in the afternoon, sent out successive detachments of the troops of the place of Smolensk to attack our posts.—Agreeably to the order which I received, to second the attack made on the right of the town, by the troops of the first corps, and to attack the bastion which was attacked yesterday by a battalion of the 46th, I ordered the same regiment to march, which forced the enemy to evacuate its position.

—The 25th division, in like manner, did not cease to fight during the whole day.

—It was remarked, that some time after the commencement of the attack against the place, the enemy's columns, which were seen to disappear in the morning, retraced their steps, and again deployed themselves on the heights of the right bank of the Dnieper, so that the position of the enemy this evening appears to be the same as it was yesterday.—I am, &c.

Marshal the Duke of ELCHINGEN.

*Report of the Marshal the Prince of Eckmuhl to the Major-General, 30th August, 1812.*

Monseigneur,—Agreeably to the orders of His Majesty, the 1st corps of the grand army took a position before Smolensk on the 16th of this month, in the following order:—The 1st division repaired to within 600 toises of the place, supporting its left on the Krasnoi road, where it joined the 3d corps. Its right extended as far as the Windmill on the Mohilow road.—The 1st division occupied the Windmill

with its left, communicating by its right with the 5th corps.—The three other divisions were posted behind at a short distance, the darkness not having allowed them to occupy the different points assigned them.—The 17th, the 3d, and the 1st division remaining in the same position, the 2d inclined to the left of the 1st, the 4th remained in the ravine behind that division, and the 5th occupied the plain of \* \* \*.—His Majesty gave orders on the 17th to dislodge the enemy from their positions, and to drive them into the place; the 1st, 2d, and 3d divisions who were in the first line received the orders to attack at the same time. It took place towards mid-day. After shaking the enemy by a discharge of artillery, which was answered from the place and the redoubts, the troops advanced and attacked at every point the enemy's troops opposed to them.—The attack was very keen, and the defence obstinate; however, every thing gave way to the bravery of His Majesty's troops. The redoubts were carried, and the buildings with battlements were forced.—The enemy was pursued and driven into the place, where he took refuge after a great loss.—I cannot praise too highly the conduct of the troops on this occasion.—Generals, Officers, and soldiers of all descriptions, were eager to rival one another in zeal, bravery, and devotion to the service of His Majesty.—The 127th regiment of the line, which stood fire for the first time, behaved in the most brilliant manner. I beseech His Majesty to bestow an eagle on it, which it could not better have deserved.—I must above all, mention in the warmest terms the 13th Light Regiment, which mounted with the greatest bravery, the *plateau* which it was charged with attacking, notwithstanding the grapeshot and discharge of musketry with which it was assailed. General Dalton, who led this attack, conducted it with the greatest bravery. We have to regret that he was disabled by a shot towards the end of the business. General Friant was struck by a spent ball. Our loss was very inconsiderable in comparison with that of the enemy.—The Generals of division, Morand, Friant, Gadin, gave in this affair new proofs of their talents and their valour.—I have the honour to address to you their particular Reports, as well as the accounts of the soldiers who distinguished themselves, and for whom they solicit favours from the Emperor. I beseech your Highness to lay them before His Majesty.

—I must join similar demands in favour of several officers of my staff who displayed much bravery, and who serve with the greatest zeal.—I have the honour to be, &c.

(Signed) The MARSHAL DUKE of AUERSTADT, Prince of Eckmuhl.

*Report of Marshal the Duke of Elchingen, to the Major-General, August 19, 1812.*

Monseigneur,—The 3d corps, passed on the right of the Dnieper this morning at four o'clock, climbing the heights where the army took a position yesterday. The small posts which the enemy had placed near to the Convent, were forced to fall back; a few cannon shots also made the Light Cavalry retreat, which occupied the table land (*plateau*). In proportion as the regiments formed, I directed the columns on the road to Moscow. At my arrival near Valontino, on the Stabna road, I found the rear-guard of the enemy in position: it was the corps d'armée of Bagawort; the business began with extreme vivacity, and the battle was prolonged till near two o'clock; at length after several charges very destructive for the enemy, he retreated in great disorder, and only shewed his Cossacks afterwards. The Emperor being arrived on the field of battle, gave orders to march forwards in the direction of Moscow.—At nearly a league and a half distance from Smolensk, I fell in with the rear-guard of the army of General Barclay de Tolly. The 11th division which opened the march, overthrew the enemy without any hesitation, as far as the position of —, where I found a great part of the Russian army in battle order; I then ordered this division to take a position, and wait till it was joined by the 10th and 25th. The enemy, however, seeing they were no longer pursued, began to act upon the offensive, and tried every effort to drive me from my position, but they were always repulsed; and it is impossible to express in strong enough terms, the fervour displayed by the troops under my orders in this conjuncture.—About five in the afternoon, the division of General Gadin arrived behind me. I made instantly the necessary dispositions for carrying the position of the enemy. The divisions of General Gadin and General Ra-gout were charged with the attack; and those of Generals Leduc and Marchand remained in reserve. This attack and the defence of the enemy were terrible. We

became masters of the table land, and the position of the enemy.—This affair may be considered as one of the most desperate battles which it is possible to fight. It was highly glorious for the arms of His Majesty, as General Barclay de Tolly who commanded in person had the half of his army in action, while, during the hottest of the combat, there were never more than two French divisions engaged.—I cannot praise too highly the courage of the troops, and the admirable zeal of the officers ; I shall have many favours to ask ; and I shall hasten to address an account to your Highness, as soon as I shall have a detailed statement from the Generals of division and heads of corps.—I am, &c.

MARSHAL THE DUKE OF ELCHINGEN.

*Report of the King of Naples to the Major-General.*

On the 4th and 5th, the advanced guard of the army of His Majesty, was warmly engaged with the enemy's rear-guard, and drove it from all its positions. The enemy made a stout resistance on the 5th. On the 4th, every one did his duty; but Count Perigord, Colonel of the 8th regiment of Horse Chasseurs, distinguished himself in repulsing successfully several charges of a cavalry much stronger than his own.—On the 5th in the evening, His Majesty ordered me to attack the redoubt with the cavalry, the division Compans, and the Polish corps.—General Compans disposed his columns for attack, and marched on the town of ——, situated at the foot of the redoubt, and of the wood at its right. The cavalry supported it; master of the village and the wood, General Compans marched against the redoubt, which was carried by the bayonet by the 61st regiment. However, several charges of cavalry took place, and the Russian cuirassiers were overpowered by the fire of our infantry and artillery, and by our cavalry.—The enemy returned to the charge with two columns of infantry to retake the redoubt, but he was vigorously received by the division Compans, and obliged to withdraw after a long fusilade. During this time Prince Poniatowski drove the enemy at my right before him, and took possession of a mountainous position. The combat lasted till ten in the evening, and we posted ourselves.—The result of this day gives His Majesty some prisoners, seven pieces of cannon, and the position which he was desirous of occupying.—Every man did his duty. Gene-

ral Calane and the Marquis of Guilano, my Aid-de-Camps, were wounded. I shall send to the Staff an account of the officers and soldiers who most distinguished themselves, soliciting for them the advancement and rewards which they deserve.

(Signed) J. NAPOLEON.

Mojaisk, 9th September, 1812.

Paris, Oct. 30. — Extract from the Judgment delivered the 29th October, 1812, which condemned Malet, Lahoire, Guidal, Ex-Generals of Brigade; Rabbe, Colonel Soulier, *chef de bataillon*; Steenhouwer, Borderieux and Piquerel, Captains; Fessart, Lefebvre, Regnier and Beaumont, Lieutenants; Rateau, Corporal; and Bocchicampe, prisoner of state; to the punishment of death; the first in reparation of a crime against the interior safety of the state, by an attempt, the object of which was to destroy the government and the order of succession to the throne; and to excite the citizens or inhabitants to arm themselves against the Imperial authority; and the other for being accomplices with the said Malet.—The same judgment acquitted Sieurs Gomont, Lebis, Provost, Godard, Viallevielhe, Caron, Limozin, Julien, Chaumette, and Routt, of the crime of being accomplices.

Napoleon, by the Grace of God and the Constitution of the Empire, Emperor of the French, King of Italy, Protector of the Confederation of the Rhine, Mediator of the Swiss Confederation, to all present and to come, greeting.

The Military Commission sitting at Paris has delivered the following judgment :—

By the EMPEROR and KING,

This day, the 28th day of the month of October, in the year 1812, the Military Commission created on the 23d of the present month by an *arrêté* of the Council of Ministers, under the Presidency of His Serene Highness Monseigneur the Prince, Arch Chancellor of the Empire, conformably to the orders of His Majesty, the said Commission formed by His Excellency the Minister of War, and consisting conformably to the Imperial Decree of the 17th Messidor, year 12 of—His Excellency the Count Dejean, Grand Officer of the Empire, Grand Eagle of the Legion of Honour, and First Inspector General of Engineers, President;—The General of Brigade Baron Deriot, Commandant of the Depots of the Imperial Guards, one of the Commandants of the Legion of Honour,

and Chevalier of the Iron Crown, Judge ; — The General Baron Henry, Major of the Gendarmerie d'Elite of the Imperial Guard, Officer of the Legion of Honour, and Chevalier of the Iron Crown, Judge ; — M. Geneval, Colonel of the 18th Legion of the Imperial Gendarmerie, Officer of the Legion of Honour, Judge ; — Colonel Moncey, First Aid-de Camp to the First Inspector General of the Imperial Gendarmerie, Officer of the Legion of Honour, Judge ; — M. Thibault, Major of the 12th regiment of light infantry, Member of the Legion of Honour, Judge ; — M. Delon, Captain Adjutant to the Etat-Major of the 1st Military Division, Judge, appointed by the decision of Military Commission, to fulfil the functions of Reporter ; — Assisted by M. Boudin, Clerk, appointed by the Reporter : — Whom, according to the terms of the law, are not related nor allied amongst themselves, nor to the accused, in the degrees prohibited by the Constitution. — The said Commission, convoked by His Excellency the Count Dejean, President, assembled in the Hall of the Sittings of the first permanent Council of War, of the first Military Division at Paris, for the purpose of trying the under-named : — Claude Francois Malet, born the 20th June, 1754, at Dole, (Jura,) of the Military profession, without any fixed domicile, having been bred to arms, (formerly a Captain of Cavalry,) at present a General of Brigade, on half pay since his arrest,  $4\frac{1}{2}$  years since, one of the Commandants of the Legion of Honour. — Victor Claude Alexander Fanneau, born the 6th January, 1766, at Gavron (Mayenne), Ex-General of Brigade. — Maximilien Joseph Guidal, aged 47 years, native of Grasse (Var), Ex-General of Brigade, on half pay for about ten years. — Gabriel Soulier, born the 2d December, 1767, at Carcasson (Aude), Chef de Bataillon, Commandant of the 10th Cohort of National Guards, Member of the Legion of Honour. — Gomont, called St. Charles, (which is his baptismal name) born the 27th March, 1768, at Metz (Moselle), of the military profession, habitually domiciled at Paris, Sub-Lieutenant of the 10th cohort, 1st company, in barracks at Paris. — Antoine Piquerel, born the 11th November, 1771, at Neufmarche (Seine Inferieure), domiciled before his entering on service at Pontoise (Seine and Oise), Adjutant Major of the 10th cohort, Member of the Legion of Honour. — Louis Charles Tessart, born the

22d February, 1769, at Meru Canten, of the said place (Oise), Lieutenant of the 10th cohort, 3d company, in barracks at Paris. — Louis Joseph Levebre, born the 2d June, 1767, at Lille (Nord), of the military profession, on half-pay, at Nogent le Rotru, Sub-Lieutenant of the 10th, 2d company, in barracks at Paris, Member of the Legion of Honour. — Nicolas Josue Steenhouwer, born the 7th October, 1763, at Amsterdam (Zuydezu), an officer on half-pay, residing at Bearvais, Captain Commandant of the 1st company of the 10th cohort, in barracks at Paris. — Louis Marie Regnier, born the 5th April, 1778, at Chateau Renard (Loiset), residing at Chateau Renard, a Sub-Officer, on half-pay by permission, and Lieutenant of the 4th company of the 10th cohort, in barracks at Paris. — Joachim Alexandre Lebis, born the 19th April, 1773, at Vimoutier (Orne), domiciled at Beavais, Lieutenant of the 10th cohort, 2d company, in barracks at Paris. — Joseph Louis Bocchelimp, born in 1770, at Olletta (Corse), and for ten years a prisoner of state, since the month of February last in more rigorous confinement. — Pierre Charles Limozin, born the 8th June, 1773, at Bourges (Cher), Adjutant sub-officer of the regiment of infantry of the guard of Paris, in barracks at Minimes, domiciled at Bourges before entering on service. — Jean Charles Francais Godard, born the 18th April, 1760, at Paris (Seine), copper-plate engraver by profession, Captain of the 1st class of the 1st battalion of the regiment of the guard of Paris infantry. — Hilaire Beaumont, born the 28th October, 1773, at Poitiers (Vienne), Lieutenant of the regiment of infantry of the guard of Paris. — Jean Joseph Julien, born the 4th April, 1783, at Farm Fontaine (Forets), and there domiciled, a farmer before entering on service, Serjeant-major of the regiment of infantry of the guard of Paris, 2d company, 2d battalion. — Pierre Borderieux, born the 29th September, 1771, at Rouanne (Rhone), and under the colours of the 62d regiment, being a child of the troop, Captain of grenadiers of the regiment of infantry of the guard of Paris, Member of the Legion of Honour. — Jean Henri Caron, born the 15th of December, 1773, at Paris (Seine), residing at Versailles, Adjutant, Sub-officer of the regiment of infantry of the guard of Paris, 2d battalion. — George Rouff, born the 6th January, 1764, at Bouxweiller (Bas Rhin), Captain of the regiment of infantry of the guard of Paris, 1st

company, 2d battalion, and Commandant of the battalion par interim. Jean Francois Rabbe, born at Pesmes (Haute Saone), the 16th January, 1767, domiciled at Pesmes; before his entering on service, a farmer by profession, Colonel of the regt. of the guard of Paris, infantry officer of the Legion of Honour. Amable Aimé Provost, born in July 1789, at Clermont (Oise), Lieutenant of the 1st company of the 10th cohort, in barracks at Paris.—Joseph Antoine Vialli-vielhe, born the 27th December, 1781, in the Commune of Paris (Puy de Dome), Adjutant, Sub-officer of the regiment of the guard of Paris.—Jean Baptiste Caumette, born the 23d July, 1784, at Paris (Seine), Serjeant-Maj. of the regiment of infantry of the guard of Paris, Member of the Legion of Honour.—Jean Auguste Rateau, born the 12th March, 1784, at Bourdeaux (Gironde), distiller, domiciled in the said town before entering in service, corporal of the regiment of infantry of the guard of Paris, 1st battalion, 2d company.—Accused, to wit, the Ex-General of Brigade Mallet of a crime against the internal safety of the state, by an attempt, of which the object was to destroy the Government and the order of succession to the throne, and to excite the citizens and inhabitants to arm themselves against the Imperial authority.—And the under-named Lahorie and Guidal, Ex-Generals of Brigade; Soulier, Chef-de-Bataillon; Steenhouver, Captain; Piquerel, Adjutant-Major; Fessart, Regnier, Lefebvre, Lebis, Provost Lieutenants; Gomont, Sub Lieutenant; Rabbe, Colonel; Rouff, Borderieux, and Godard, Captains; Beaumont, Lieutenant; Simozin, Caron, and Vialli-vielhe, Adjutants, sub-officers; Julien and Caumette, Serjeants-Major; Rateau, Corporal; and Bocchampe, prisoner of state, accused of being accomplices with the Ex-General Malet.—The sitting having been opened by his Excellency Count Dejean, President, and a copy of the Imperial Decree of the 17th Messidor, year 12, being laid on the table, the Judge Reporter, on the demand of the President, read the papers as well in charge as in discharge of the accused.—The reading being terminated, the sitting was adjourned till one in the afternoon, and having been resumed at that time, his Excellency the Count Dejean, President, ordered the guard to bring in the accused, who were introduced free and without fetters before the Commission.—After having given information to the accused of the facts with which they were charged—having put interrogatories through

his Excellency the Count Dejean, President—having explained to them the papers material to the charge — having also shewn to the accused, Malet, the pistols and sabre produced as proofs of the charge,—The Military Commission heard the Judge Reporter in his Report, and the accused in their defence, as well by themselves as by two Advocates, who pleaded for several of the said accused, his Excellency the Count Dejean, President, demanded of the Judges if they had any observations to make; on their answering in the negative, and before collecting their opinions, the President desired the Defenders, and persons assisting at the sitting, to retire. The accused were reconducted by the escort to prison, and the Clerk also retired.—The Military Commission deliberated with closed doors; his Excellency the Count Dejean, President, put the questions.—The votes were collected on each, beginning with the inferior rank; his Excellency the Count Dejean, President, having given his opinion last.—The Military Commission condemned, to wit—1st. Unanimously, Claude Francois Malet, Ex-General of Brigade, in reparation of a crime against the internal safety of the state, by an attempt, of which the object was to destroy the government and the order of succession to the throne, and to excite the citizens or inhabitants to arm themselves against the Imperial authority, to the punishment of death, and confiscation of his property.—2d. Unanimously, Victor Claude, Alexander Farneau Lahorie, and Maximilian Joseph Geidal, Ex-Generals of Brigade; Gabriel Soulier, Chef de Bataillon; Nicolas Rosué Steenhouver, Pierre Borderieux, Antoine Piquerel, Captains; Antoine Tessart, Joseph Lefebvre, Louis Marie Regnier, Filaire Beaumont, Lieutenants; Jean Auguste Rateau, Corporal, in reparation of the crime of being accomplices with the above-named Malet, to the punishment of death, and confiscation of their property.—3d. By a majority of six to one, Jean Francois Rabbe, Colonel, in reparation of the crime of being an accomplice with the above named Malet, to the punishment of death, and confiscation of his property.—And, 4thly, by a majority of five to two, Joseph Louis Bocchampe, prisoner of state, in reparation of the crime of being an accomplice with the said Malet, to the punishment of death, and confiscation of his property.—The said sentences were pronounced against the

*(To be continued.)*

## ENGLISH LIBERTY OF THE PRESS,

*As illustrated in the Prosecution and Punishment of*

### WILLIAM COBBETT.

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In order that my countrymen and that the world may not be deceived, duped, and cheated upon this subject, I, WILLIAM COBBETT, of Botley, in Hampshire, put upon record the following facts; to wit: That, on the 24th June, 1809, the following article was published in a London news-paper, called the COURIER:—“The Mutiny amongst the LOCAL MILITIA, which broke out at Ely, was fortunately suppressed on Wednesday by the arrival of four squadrons of the GERMAN LEGION CAVALRY from Bury, under the command of General Auckland. Five of the ringleaders were tried by a Court-Martial, and sentenced to receive 500 lashes each, part of which punishment they received on Wednesday, and a part was remitted. A stoppage for their knapsacks was the ground of the complaint that excited this mutinous spirit, which occasioned the men to surround their officers, and demand what they deemed their arrears. The first division of the German Legion halted yesterday at Newmarket on their return to Bury.”—That, on the 1st July, 1809, I published, in the Political Register, an article censuring, in the strongest terms, these proceedings; that, for so doing, the Attorney General prosecuted, as seditious libellers, and by Ex-Officio Information, me, and also my printer, my publisher, and one of the principal retailers of the Political Register; that I was brought to trial on the 15th June, 1810, and was, by a Special Jury, that is to say, by 12 men out of 48 appointed by the Master of the Crown Office, found guilty; that, on the 20th of the same month, I was compelled to give bail for my appearance to receive judgment; and that, as I came up from Botley (to which place I had returned to my family and my farm on the evening of the 15th), a Tipstaff went down from London in order to seize me, personally; that, on the 9th of July, 1810, I, together with my printer, publisher, and the newsman, were brought into the Court of King's Bench to receive judgment; that the three former were sentenced to be imprisoned for some months in the King's Bench prison; that I was sentenced to be imprisoned for two years in Newgate, the great receptacle for malefactors, and the front of which is the scene of numerous hangings in the course of every year; that the part of the prison in which I was sentenced to be confined is sometimes inhabited by felons, that felons were actually in it at the time I entered it; that one man was taken out of it to be transported in about 48 hours after I was put into the same yard with him; and that it is the place of confinement for men guilty of unnatural crimes, of whom there are four in it at this time; that, besides this imprisonment, I was sentenced to pay a thousand pounds TO THE KING, and to give security for my good behaviour for seven years, myself in the sum of 3,000 pounds, and

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two sureties in the sum of 1,000 pounds each; that the whole of this sentence has been executed upon me, that I have been imprisoned the two years, have paid the thousand pounds TO THE KING, and have given the bail, Timothy Brown and Peter Walker, Esqrs. being my sureties; that the Attorney General was Sir Vicary Gibbs, the Judge who sat at the trial Lord Ellenborough, the four Judges who sat at passing sentence Ellenborough, Grose, Le Blanc, and Bailey; and that the jurors were, Thomas Rhodes of Hampstead Road, John Davis of Southampton Place, James Ellis of Tottenham Court Road, John Richards of Bayswater, Thomas Marsham of Baker Street, Robert Heathcote of High Street Marylebone, John Maud of York Place Marylebone, George Bagster of Church Terrace Pancras, Thomas Taylor of Red Lion Square, David Deane of St. John Street, William Palmer of Upper Street Islington, Henry Favre of Pall Mall; that the Prime Ministers during the time were Spencer Perceval, until he was shot by John Bellingham, and after that Robert B. Jenkinson, Earl of Liverpool; that the prosecution and sentence took place in the reign of King George the Third, and that, he having become insane during my imprisonment, the 1,000 pounds was paid to his son, the Prince Regent, in his behalf; that, during my imprisonment, I wrote and published 364 Essays and Letters upon political subjects; that, during the same time, I was visited by persons from 197 cities and towns, many of them as a sort of deputies from Societies or Clubs; that, at the expiration of my imprisonment, on the 9th of July, 1812, a great dinner was given in London for the purpose of receiving me, at which dinner upwards of 600 persons were present, and at which Sir Francis Burdett presided; that dinners and other parties were held on the same occasion in many other places in England; that, on my way home, I was received at Alton, the first town in Hampshire, with the ringing of the Church bells; that a respectable company met me and gave me a dinner at Winchester; that I was drawn from more than the distance of a mile into Botley by the people; that, upon my arrival in the village, I found all the people assembled to receive me; that I concluded the day by explaining to them the cause of my imprisonment, and by giving them clear notions respecting the flogging of the Local Militia-men at Ely, and respecting the employment of German Troops; and, finally, which is more than a compensation for my losses and all my sufferings, I am in perfect health and strength; and, though I must, for the sake of six children, feel the diminution that has been made in my property (thinking it right in me to decline the offer of a subscription), I have the consolation to see growing up three sons, upon whose hearts, I trust, all these facts will be engraven.

W.M. COBBETT.

Botley, July 23, 1812.

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